

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPEAL NO.265 OF 2006

Office notes, office memoranda of Coram,
appearances, Court's orders or directions Court's Or Judges Orders
and Registrar's order.

Mr. J.B. Jaiswal, APP for the
appellant/State,

Mr. V.M. Deshpande, Advocate for the
respondents.

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Coram : K.J. Rohee, J.

Dated : September 07, 2006.

1. Heard the learned APP for the
appellant/State and the learned counsel
for the respondents.

2. It seems that the dying
declaration (Exh.40) of Sarika was
recorded by the Executive Magistrate on
18/6/2004 i.e. the day on which she was
admitted. She succumbed to 75 % of
burn injuries on 22/6/2004. In the said
dying declaration she categorically stated
that the burns were accidental. Nothing
has been imputed by her to the

respondents or any of them. No doubt, the relatives of deceased Sarika stated about the ill-treatment to her by the respondents, but the said evidence is nothing but improvements as nothing was stated before the Police in that respect. Thus there appears no perversity in the judgment. Hence leave to file appeal is rejected.

JUDGE

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